



## COUNCIL REPORT

Report Date: May 27, 2024  
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Meeting Date: June 25, 2024  
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TO: Vancouver City Council

FROM: The General Manager of Engineering Services in Consultation with the Director of Real Estate Services

SUBJECT: Closure and Sale of a Portion of Lane Adjacent to 716 West 23rd Avenue

### Recommendations

- A. THAT Council close, stop-up and convey to the abutting owner (the “Buyer”) of 716 West 23rd Avenue, legally described as: PID: 007-786-654, Lot 6, Block 638, District Lot 472, Plan 2309 (the “Abutting Lands”) that approximately 49.1 square metre (528 square foot) portion of lane, as shown hatched on the sketch attached as Appendix “A” (hereinafter the, “Lane Portion”), subject to the terms and conditions as noted in Appendix “B”.
- B. THAT the sale proceeds, referenced in A above, of \$400,000 be credited to the Capital Fund.

If Council approves the recommendations as contained in this report, the Formal Resolution to close the Lane Portion will be before Council later this day for approval.

### Purpose and Executive Summary

This report seeks Council authority to close, stop-up and convey the Lane Portion to the abutting owner, namely, the owner of 716 West 23rd Avenue for consolidation with 716 West 23rd Avenue (the “Abutting Lands”).

It has been determined that the Lane Portion is no longer required for municipal purposes.

### Council Authority/Previous Decisions

The authority for closing and disposing of streets and lanes is set out in the *Vancouver Charter*.

## **City Manager's Comments**

The City Manager concurs with the foregoing recommendations.

## **Context and Background**

Upon the registration of Plan 2309 in 1907, a 16 foot (4.877m) wide east/west lane was created in this block to facilitate rear access to all eight adjacent lots including the Abutting Lands. In 1910 the lands located directly south of this block were then subdivided, which included the dedication of a full width 66 foot (20.117m) road, currently known as West 24<sup>th</sup> Avenue. This created a scenario whereby the original 16 foot lane was no longer required to facilitate rear access to the adjoining parcels or for any other municipal purpose. As a result, all of the adjacent parcels, with the exception of the Abutting Lands, have since acquired and consolidated the abutting 16 foot lane portions.

The Buyer has made an application to the City to purchase the abutting 16 foot Lane Portion. This will be consolidated with the Abutting Lands to create a single lot consistent with the established parcel size and configuration within this double fronting block arrangement between West 23rd and West 24th Avenues.

The Lane Portion, which was dedicated to the City on Plan 2309 in 1907, does not contain any municipal or utility infrastructure and has been effectively occupied as the rear yard for the dwelling situated on the Abutting Lands.

## **Discussion**

Engineering Services has conducted a comprehensive review of the matter and determined that the Lane Portion is no longer required for civic purposes and is available for sale to the Buyer, subject to the conditions detailed in Appendix B of this report.

The Director of Real Estate Services advises that the negotiated sale price of \$400,000 represents fair market value for the Lane Portion to be conveyed to the owner of the Abutting Lands. In the event that the Buyer is unable to complete the purchase prior to March 1, 2025 the Buyer shall have the right to extend the closing date for one ninety (90) day period with the sales price increasing to \$440,000. The Buyer will be responsible for all costs, plans, documents, and Land Title Office fees required to complete the conveyance.

## **Financial Implications**

The Director of Real Estate Services recommends a sales price for the Lane Portion of \$400,000. The sale proceeds to be credited to the Capital Fund.

In accordance with the Miscellaneous Fees By-law, a Road Closure Fee of \$13,340. has been charged and collected from the abutting owner of the Abutting Lands.

**Legal Implications**

There are no legal implications associated with this report's recommendations.

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**APPENDIX B**  
**Terms and Conditions of Conveyance**

1. The Lane Portion to be closed is to be consolidated with the Abutting Lands ([PID: 007-786-654] Lot 6 Block 638 District Lot 472 Plan 2309) to form a single parcel, the same as generally shown in heavy outline on Appendix "A", to the satisfaction of the Director of Legal Services;
2. The owner of the Abutting Lands to pay \$400,000 (increased to \$440,000 if the Buyer extends the closing date) plus applicable taxes for the Lane Portion, in accordance with the recommendation of the Director of Real Estate Services;
3. The owner of the Abutting Lands to provide payment of the Road Closure Fee in accordance with the Miscellaneous Fees By-law;
4. The owner of the Abutting Lands to be responsible for all necessary plans, documents, and Land Title Office fees;
5. Any agreements to be on terms and conditions satisfactory to the Director of Real Estate Services and Director of Legal Services;
6. The Director of Legal Services or the Director of Real Estate Services, as applicable, be authorized to execute all plans, transfers, and documents as required.
7. No legal right or obligation shall be created and none shall arise hereafter, until the documents are executed by the parties thereto, and fully registered in the Land Title Office.